

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KEVIN ABREU,

Plaintiff,

– against –

THE CITY OF NEW YORK, NYC HEALTH
AND HOSPITALS, CAPTAIN MOHAMAD,
OFFICER MARSHALL, JOHN DOE 1-2,

Defendants.

ORDER

19 Civ. 2990 (ER)

RAMOS, D.J.:

On April 2, 2019, Kevin Abreu (“Plaintiff”) filed a lawsuit against the New York City Department of Corrections (“DOC”), New York City Health and Hospitals, Captain Mohamad, Officer Marshall and John Does 1-2 for violation of his constitutional rights during his incarceration on Rikers Island. Doc. 2. On May 16, 2019, the Court terminated DOC as a party and added the City of New York as a defendant. Doc. 6 at 5. Defendants City of New York and New York City Health and Hospitals moved to dismiss the complaint and served Plaintiff by United States Postal Service at his address of incarceration on September 17, 2019. Docs. 21-23. On April 9, 2020, the Court issued an Order directing Plaintiff to respond to the pending motion by May 7, 2020. Doc. 25. Plaintiff has yet to respond to the motion or contact the Court.

Accordingly, Plaintiff is directed to respond to the motion to dismiss by July 13, 2020 or he may face sanctions for ignoring the courts orders, including the motion to dismiss being deemed fully briefed or his case being dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

Chambers will mail a copy of this Order and the motion papers (Docs. 21-23) to Plaintiff, addressed to Kevin Abreu, 98-11 Corona Ave., Queens, New York 11368.

It is SO ORDERED.

Dated: June 22, 2020
New York, New York



EDGARDO RAMOS, U.S.D.J.